

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

(Filed: October 27, 2015)

<p>* * * * *</p> <p>SAMUEL GRAY,</p> <p style="padding-left: 100px;">Petitioner,</p> <p>v.</p> <p>SECRETARY OF HEALTH AND HUMAN SERVICES,</p> <p>Respondent.</p> <p>* * * * *</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>UNPUBLISHED</p> <p>No. 13-880V</p> <p>Special Master Roth</p> <p>Attorneys' Fees and Costs; Reasonable Amount Requested to which Respondent does Not Object</p>
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Verne E. Paradie, Jr., Maglio, Paradie Sherman Walker and Worden, Lewiston, ME for petitioner.
Gordon E. Shemin, U.S. Dept. of Justice, Washington, DC for respondent.

ATTORNEYS' FEES AND COSTS DECISION¹

On October 21, 2015, a decision dismissing this case for insufficient proof was entered. On October 27, 2015, the parties filed a Stipulation of Fact Concerning Attorneys' Fees and Costs. According to the stipulation, respondent does not object to a total award of attorneys' fees and costs in the amount of \$10,534.20. In accordance with General Order #9, petitioner incurred \$1,500.00 in out-of-pocket litigation expenses.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of petitioner's request and respondent's counsel's lack of objection to petitioner's counsel's fee request, the undersigned **GRANTS** petitioner's motion for approval and payment of attorneys' fees and costs.

¹ Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this decision on the website of the United States Court of Federal Claims, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, the entire decision will be available to the public. *Id.*

Accordingly, an award should be made as follows:

1. in the form of a check jointly payable to petitioner and Verne E. Paradie in the amount of **\$10,534.20**.
2. in the form of a check payable to petitioner in the amount of **\$1,500.00**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.²

IT IS SO ORDERED.

s/Mindy Michaels Roth
Mindy Michaels Roth
Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.